

## **6.27 - PB PLANNED BUSINESS DISTRICT**

### **6.27.1 INTENT:**

The purpose of the PB Planned Business District is to ensure that certain retail, office, and service developments are designed and constructed to minimize any negative impact or nuisance on adjacent residential development prior to the approval of the rezoning. It is further intended to permit the establishment of such districts only where planned business districts with carefully-related buildings, parking and service area, and landscaped areas will serve clearly demonstrated public needs, reduce traffic impact, and protect property values in surrounding neighborhoods. This district is also intended to serve infill commercial needs where compatibility with adjoining neighborhoods is of primary importance. Location on a collector street is required as a minimum.

### **6.27.2 PERMITTED USES:**

Within the PB Planned Business District the following uses are permitted:

- 6.27.2.1 Accessory structures and uses, provided they are not located in the front or side yard nor within seven and one-half feet of the rear property line;
- 6.27.2.2 Alternative tower structures;
- 6.27.2.3 Amusements, and recreation, including theaters;
- 6.27.2.4 Beer serving/sales establishments;
- 6.27.2.5 Clinics;
- 6.27.2.6 Day-care centers, provided:
  - A. If access is gained from an arterial or collector street, a paved driveway connected to the arterial or collector street must be provided. This driveway must include an exit and an entrance to facilitate safe, off-street loading and unloading which does not require backing into the street; and
  - B. They meet all state licensing requirements;
- 6.27.2.7 Financial institutions;
- 6.27.2.8 Home occupations (Subject to Section 6.1.1.7);
- 6.27.2.9 Municipal, county, state, or federal building or land uses;

6.27.2.10 Neighborhood convenience center, provided:

- A. Auto servicing operations such as oil changes shall be permitted; however, no vehicle repair shall be permitted;
- B. A one-bay drive-thru car wash shall be permitted only in conjunction with the neighborhood convenience center; and
- C. Canopies shall not be constructed closer than fifteen (15) feet to any street right-of-way. Since the Code states that variances may only be given when special conditions prevent the beneficial use of land, if a neighborhood convenience center can be constructed on a lot, the land has resulted in beneficial use. Therefore, no waiver shall be given permitting a pump island or canopy to be constructed closer than fifteen (15) feet to any right-of-way.

6.27.2.11 Offices; both governmental and private;

6.27.2.12 Personal, business, and professional services;

6.27.2.13 Pharmacies;

6.27.2.14 Residential uses on the upper floors of buildings;

6.27.2.15 Restaurants;

6.27.2.16 Stores and shops conducting retail trade; and

6.27.2.17 Temporary uses not to exceed ninety (90) days.

6.27.3 **USES PERMITTED BY APPROVAL AS SPECIAL EXCEPTION:**

The following uses are permitted when approved by the Board of Zoning Appeals as Special Exceptions as provided by Section 15.4:

6.27.3.1 Tower structures, provided the provisions of Subsection 10.3.2.2 are complied with; and

6.27.3.2 Substance Abuse Treatment Facility provided:

- A. The facility shall be fully licensed/certified by the appropriate regulating state agency, if required;
- B. A certificate of need, if required, shall be obtained from the appropriate state agency prior to review by the Board of Zoning Appeals;

- C. The Facility shall not be located adjacent to or within 200 feet of a residential district including R-1, R-2, R-2A, R-2B, R-2C, R-3, R-4, R-5, R-6, RP-2, RP-3, RP-4, RP-5, RM-3, RM-4, RM-5, RO-1, and RO-2 districts;
- D. The facility shall not operate before 7:00 a.m. or after 8:00 p.m.;
- E. The facility shall be located on a collector street, arterial street, or State of Franklin Road;
- F. The petitioner shall provide the Board of Zoning Appeals with information regarding the number of staff to be employed; and
- G. The facility, if located within a single tenant structure, shall meet the off-street parking requirements as specified in Article XI, Section 11.3.

#### 6.27.4 AREA REGULATIONS:

The following area regulations shall apply to each project in the PB zoning district developed under an approved Concept Plan. Setbacks shall apply to the perimeter of each tract; no additional setback regulations shall apply to interior lots created within a single comprehensive development.

##### 6.27.4.1 FRONT YARD:

The minimum depth of a front yard and any yard abutting a public street shall be:

<u>Type Street</u>	<u>Setback</u>
Arterial	45 feet
Collector	35 feet
Minor	25 feet

##### 6.27.4.2 SIDE YARD:

- A. Where adjacent to an R-1, R-2, R-2A, R-2B, or R-2C zone, the minimum depth of the side yard setback shall be twelve and one-half (12.5) feet for a one-story building and ten (10) feet times the number of stories for a multi-story building.
- B. Where adjacent to an R-3, R-4, R-5, R-6, any RP, any RM, RO-1, RO-2, or MX-1 zone, the minimum depth of the side yard setback shall be the same as the adjacent zoning district.
- C. Where adjacent to any other zoning district, there shall be no required minimum side yard setback.

##### 6.27.4.3 REAR YARD:

The minimum rear yard setback shall be twenty-five (25) feet except where abutting a residential zone, in which case the minimum shall be forty (40) feet.

- 6.27.4.4 MAXIMUM LOT COVERAGE: No restrictions.
  - 6.27.4.5 HEIGHT REGULATIONS: No more than one-story above the tallest surrounding building as measured within 200 feet from property line to property line.
- 6.27.5 CONCEPT PLAN REQUIRED:
- 6.27.5.1 Each application for a rezoning request to PB shall be accompanied by five sets of a Concept Plan as described in Article XIV, Subsection 14.2.2.1. The review and approval process for such Concept Plan shall be as described in Subsection 14.2.2.2.